

AMENDED

No. 54132

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office NOV 01 1989

Returned to applicant for correction DEC 08 1989

Correction application filed DEC 20 1989

Map filed DEC 20 1989

The applicant Carl J. & Carole K. Hanks

Blue Eagle Ranch, of Tonopah  
Street and No. or P.O. Box No. City or Town

Nevada 89049, hereby make application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Sources  
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.5 cfs second-foot  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Industrial Purposes  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated:

(b) Stockwater, state number and kinds of animals to be watered:

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: in the NE 1/4 NW 1/4 of Section 35, T.9N., R.57E., M.D.B.&M., whence the Southwest Corner of said Section 35 bears S.28°23'28"W., 5,202.46 feet distant.  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

6. Place of use T.1N., R.53 & 54 E.; T.2N., R.53 & 54 E.; T.3N., R.53 & 54 E.;  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.  
T.4N., R.53, 54 & 55 E.; T.5N., R.54, 55 & 56 E.; T.6N., R.54, 55 & 56 E.;  
T.7N., R.55, 56 & 57 E.; T.8N., R.55, 56 & 57 E.; T.9N., R.55, 56 & 57 E.;  
T.10N., R.56, 57 & 58 E.; T.11N., R.56 & 57 E., M.D.B.&M.

7. Use will be begin about January 1st and end about December 31st, of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water will be hauled by trucks throughout the proposed place of use.  
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$20,000.00

10. Estimated time required to construct works..... 1 year  
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use..... 3 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The applicant proposes to use the water for oil exploration and oil well construction at a proposed consumptive rate of 100 g.p.m., 24 hours per day, 365 days per year for an annual consumption of 53.56 million gallons.

s/Richard W. Forman  
By Richard W. Forman Agent  
P.O. Box 150 Ely, Nevada 89301

Compared bp/ jm ab/se

Protested .....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance issued under the provisions of NRS 533.371 for a finite period of time. This permit will expire on August 6, 1998 and all rights herein will revert back to the source. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 26.28 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before August 6, 1994

Proof of completion of work shall be filed before September 6, 1994

Application of water to beneficial use shall be filed on or before August 6, 1998

Proof of the application of water to beneficial use shall be filed on or before Permit Expires August 6, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed SEP 27 1994 IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed .....

my office, this 6th day of August

Cultural map filed .....

A.D. 1993

Certificate No. .... Issued .....

218 (Rev.)

**EXPIRED**  
**DATE APR 06 1998**

*[Signature]*  
State Engineer